

**Virginia Board of Licensed Professional Counselors,
Marriage and Family Therapists, and
Substance Abuse Professionals
MINUTES
May 14, 1999**

TIME AND PLACE: The meeting was called to order at 10:12 a.m. in Conference Room 1 of the Department of Health Professions, 6606 W. Broad Street.

PRESIDING: Michael J. Kelly, Chairman of the Board presided.

MEMBERS PRESENT: Abigail C. Barnes
Timothy E. Clinton, Ed.D.
Maurice Graham, D.Min.
Rosemarie S. Hughes, Ph.D.
Howard R. King, Jr., Ph.D.
Jack, Knapp, D.D.
Susan D. Leone, Ed.D.
Janice McMillan, Ph.D.
Howard O. Protinsky, Ph.D.
Eric T. Scalise
Lynnette Lewis Shadoan
J. Steve Strosnider

STAFF PRESENT: Evelyn B. Brown, Executive Director
Janet Delorme, Deputy Executive Director
Joyce Williams, Administrative Assistant
Lynne Fleming, Assistant Attorney General
Robert A. Nebiker, Senior Deputy Director

OTHERS PRESENT: Miriam Kline
Diane Mann
Georgia Short
John I. Wainwright

PUBLIC COMMENTS: There were no public comments.

MINUTES: The minutes of February 19, 1999 were approved with corrections.

CHAIR: Mr. Kelly expressed gratitude and thanks to staff and Board members during his two years as Chair. He also thanked the public for their interest and input.

COMMITTEE REPORTS:

Regulatory Review

Dr. Hughes reported that the Regulatory Review Committee met on Thursday, May 13th and identified issues requiring regulatory review in the Regulations Governing the Certification of Substance Abuse Counselors.

Dr. Hughes reported that Ms. Barnes and Mr. Kelly will work, with the assistance with the Virginia Association of Alcohol and Drug Abuse Counselors and the Virginia Association of Counselors, on criteria for licensure of individuals with less than a masters' degree as substance abuse treatment professionals.

Mr. Nebiker discussed the need for the Board to adjust its fees. After Mr. Nebiker justified why fee adjustments must be made, a motion was made by Dr. Hughes that the Board accept the fee structure presented in proposal #2 (Attachment 1). The motion passed unanimously.

A motion was made by Mr. Strosnider that the Board convene in Executive Session pursuant to Section 2.1-344.1.A.7 of the Code of Virginia for the purpose of consultation with legal counsel. The motion was properly seconded and passed unanimously. Following Executive Session, the Board reconvened in open session. The Board certified that only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed and only such matters as identified in the motion for Executive Session were heard, discussed or considered during the Executive Session just concluded. An affirmative vote was received from all Board members.

A motion was made by Dr. Hughes that the Board authorize staff upon consultation with the Board Chair and Regulatory Committee Chair to amend any affected sections of regulation that are currently under review to conform those regulations pursuant to Executive Order 25 with the action taken on fee proposals at today's meeting. The motion passed unanimously.

A motion was made by Dr. Hughes that the Board adopt a PreNOIRA to notify the public that the Board will consider continuing education and inactive licensure requirements for licensed professional counselors and licensed marriage and family therapists as well as require a jurisprudence examination for these two professions.

Ms. Delorme gave an update on the status of regulatory review. This was accepted as information.

Discipline Committee

Mr. Strosnider reported that the Board has eight cases in Enforcement and seven cases at Board level. He further reported that one informal conference has been held since February and one reinstatement hearing was held. There are five licensees on probation.

Mr. Strosnider distributed a Discipline Analysis, which gave a summary of consent orders issued by the three behavioral science boards for the last three years. Mr. Strosnider recommended that this report be discussed at a later date.

Examination Committee

There was no report.

Credentials Committee

Dr. Leone reported on the credentials reviewed as follows:

3 requests to register MFT supervision:

(1 approved; 2 not approved)

2 applications for LPC examination:

(1 approved; 1 not approved)

2 LPC trainees requested a waiver of the requirement to receive supervision with a licensed professional counselor. The requests were granted.

The National Board for Certified Counselors asked if the Virginia Board considered the California Marriage, Family and Child Counselor license to be equivalent to the Virginia Licensed Professional Counselor. The Committee determined that applicants holding this license in California would be considered on a case by case basis.

Supervision Committee

Dr. Clinton reported that 192 surveys on supervision were mailed to recent licensees and current applicants and 115 (60%) surveys were returned. Forty-eight surveys were sent to other states' licensure boards and to the Virginia behavioral science boards; 28 surveys were returned, for a 58% response rate. The third survey was sent to professional associations and academic

institutions within the state. Sixty-nine surveys were sent out; 29 surveys were returned, for a 42% response rate.

Based on the responses, the Committee made the following recommendations to the Board:

1. Require that supervisors have five years of post-graduate degree experience or two years of post-graduate degree experience, plus completion of a graduate course in supervision, or two years of post-graduate degree experience and 40 hours of continuing education in clinical supervision.
2. Not limit the numbers of individuals a supervisor can supervise.
3. At this time, not require that supervisors complete continuing education. Dr. Clinton advised that the Committee will continue to monitor and make recommendations regarding this issue.

Public Relations Committee

Mr. Scalise reported that the Board will print two newsletters a year in compliance with agency policy.

Consideration will also be given to posting an additional two newsletters a year on the Internet.

LEGISLATION:

Mr. Kelly noted, as information, that there is a consensus among the Board members that the Board will continue to pursue legislation to change the Board's name to the Board of Counseling and Therapy.

ELECTION OF OFFICERS:

The Executive Committee nominated Dr. Susan Leone as Chair of the Board. The nomination was approved unanimously.

The Executive Committee nominated Dr. Rosemarie Hughes as Vice-Chair of the Board. The nomination was approved unanimously.

OLD BUSINESS:

Mr. Kelly discussed scheduling the next retreat. It was determined that the Board will schedule a retreat in the spring of 2000. A date will be considered at the August 27, 1999 meeting.

BOARD OF HEALTH PROFESSIONS (BHP):

Dr. Clinton reported that no action has been taken by BHP on the issue of unlicensed practice.

Dr. Clinton requested that at each Board meeting the Chair give the BHP representative information that this Board wants to report to BHP.

Dr. Clinton reported that he will complete his appointment to BHP on June 30, 1999 and will not seek reappointment to that Board.

JOINT LEGISLATIVE
AUDIT REVIEW
COMMISSION (JLARC):

Ms. Fleming reported that JLARC is completing its report on discipline. It is expected that JLARC will address the topic of unlicensed practice and might recommend that the Department file warrants in General District Court to seek criminal action for unlicensed practice.

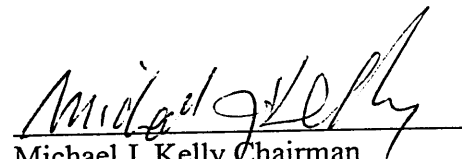
NEW BUSINESS:

American Association of State Counseling Boards (AASCB)

The AASCB conference will be held in Denver, Colorado on January 13-16, 2000. The Board will determine at its August 27, 1999 meeting who will attend this conference.

ADJOURNMENT:

The meeting adjourned at 12: 00 p.m.


Michael J. Kelly Chairman


Evelyn B. Brown, Executive Director

APRIL 1999

Current Fees

Proposal #1

Proposal #2

	FY 2003 FEES	FY 2004 FEES	2002-2004 REVENUE	FY 2003 FEES	FY 2004 FEES	2002-2004 REVENUE	FY 2003 FEES	FY 2004 FEES	2002-2004 REVENUE
Professional Counselors									
Renewal - Counselors (3,400)(BO)	\$75 x (1)	\$0 x (1)	255,000	\$90 x (1)	\$90 x (1)	627,300	\$100 x (1)	\$100 x (1)	697,000
Endorsement - Out (25)	\$10 x (1)	\$10 x (1)	500	\$10 x (1)	\$10 x (1)	500	\$10 x (1)	\$10 x (1)	500
Late Renewals (5/100)	\$10 x (1)	\$10 x (1)	1,050	\$25 x (1)	\$25 x (1)	2,625	\$25 x (1)	\$25 x (1)	2,625
Replacement Certificate (20)	\$15 x (1)	\$15 x (1)	600	\$15 x (1)	\$15 x (1)	600	\$20 x (1)	\$20 x (1)	800
Returned Check (5)	\$15 x (1)	\$15 x (1)	150	\$25 x (1)	\$25 x (1)	250	\$25 x (1)	\$25 x (1)	250
Duplicate License (20)	\$15 x (1)	\$15 x (1)	600	\$15 x (1)	\$15 x (1)	600	\$20 x (1)	\$20 x (1)	800
Certification of Substance Abuse Counslrs									
Certification Renewal (790)(BO)	\$40 x (1)	\$0 x (1)	31,600	\$90 x (1)	\$90 x (1)	142,650	\$100 x (1)	\$100 x (1)	158,500
Late Renewal (5/50)	\$10 x (1)	\$10 x (1)	550	\$25 x (1)	\$25 x (1)	1,375	\$25 x (1)	\$25 x (1)	2,500
Dup. Cert./Add'l Cert. (5)	\$15 x (1)	\$15 x (1)	150	\$15 x (1)	\$15 x (1)	150	\$20 x (1)	\$20 x (1)	200
Returned Check (3)	\$15 x (1)	\$15 x (1)	90	\$25 x (1)	\$25 x (1)	150	\$25 x (1)	\$25 x (1)	150
Rehabilitation Providers									
Renewal (1,340/1,360 (A)	\$50 x (1)	\$50 x (1)	135,000	\$90 x (1)	\$90 x (1)	243,000	\$100 x (1)	\$100 x (1)	272,000
Application (25)	\$100 x (1)	\$100 x (1)	5,000	\$150 x (1)	\$150 x (1)	7,500	\$150 x (1)	\$150 x (1)	7,500
Late Renewal (75)	\$50 x (1)	\$50 x (1)	7,500	\$25 x (1)	\$25 x (1)	3,750	\$25 x (1)	\$25 x (1)	3,750
Dup. Cert./Add'l Cert. (5)	\$15 x (1)	\$15 x (1)	150	\$15 x (1)	\$15 x (1)	150	\$20 x (1)	\$20 x (1)	200
Returned Check (5)	\$15 x (1)	\$15 x (1)	150	\$25 x (1)	\$25 x (1)	250	\$25 x (1)	\$25 x (1)	250
Marriage & Family Therapist									
Renewal (1009)(BO)	\$75 x (1)	\$0 x (1)	75,675	\$90 x (1)	\$90 x (1)	184,320	\$100 x (1)	\$100 x (1)	204,800
Application (35)	\$50 x (1)	\$50 x (1)	3,500	\$150 x (1)	\$150 x (1)	10,500	\$150 x (1)	\$150 x (1)	10,500
Late Renewal (5/30)	\$10 x (1)	\$10 x (1)	350	\$25 x (1)	\$25 x (1)	875	\$25 x (1)	\$25 x (1)	875
Registration of Supervision (90)	\$20 x (1)	\$20 x (1)	3,600	\$50 x (1)	\$50 x (1)	9,000	\$50 x (1)	\$50 x (1)	9,000
Endorsement Out (10)	\$10 x (1)	\$10 x (1)	200	\$10 x (1)	\$10 x (1)	200	\$15 x (1)	\$15 x (1)	300
Dup. Cert./Add'l Cert. (5)	\$15 x (1)	\$15 x (1)	150	\$15 x (1)	\$15 x (1)	150	\$20 x (1)	\$20 x (1)	200
Returned Check (5)	\$15 x (1)	\$15 x (1)	150	\$25 x (1)	\$25 x (1)	250	\$25 x (1)	\$25 x (1)	250
Licensed Sub Abuse Treatmnt Pract									
Renewal - (800/817)(A)	\$90 x (1)	\$90 x (1)	145,530	\$90 x (1)	\$90 x (1)	145,530	\$100 x (1)	\$100 x (1)	163,400
Registration of Supervision (100)	\$50 x (1)	\$50 x (1)	10,000	\$50 x (1)	\$50 x (1)	10,000	\$50 x (1)	\$50 x (1)	10,000
Add/Change of Supervision (100)	\$35 x (1)	\$35 x (1)	7,000	\$35 x (1)	\$35 x (1)	7,000	\$25 x (1)	\$25 x (1)	5,000
Application Fee (50)	\$100 x (1)	\$100 x (1)	10,000	\$150 x (1)	\$150 x (1)	15,000	\$150 x (1)	\$150 x (1)	15,000
Endorsement - Out (5)	\$10 x (1)	\$10 x (1)	100	\$10 x (1)	\$10 x (1)	100	\$15 x (1)	\$15 x (1)	150
Late Renewals (20/20)	\$25 x (1)	\$25 x (1)	1,000	\$25 x (1)	\$25 x (1)	1,000	\$25 x (1)	\$25 x (1)	1,000
Replacement Certificate (5)	\$15 x (1)	\$15 x (1)	150	\$15 x (1)	\$15 x (1)	150	\$20 x (1)	\$20 x (1)	200
Returned Check (3)	\$15 x (1)	\$15 x (1)	90	\$25 x (1)	\$25 x (1)	150	\$25 x (1)	\$25 x (1)	150
Duplicate License (5)	\$15 x (1)	\$15 x (1)	150	\$15 x (1)	\$15 x (1)	150	\$20 x (1)	\$20 x (1)	200
Miscellaneous Revenue			1,000			1,000			1,000
Total Projected 2002-2004 Revenue			\$696,735			\$1,416,225			\$1,569,050
Revenue Carried Forward 6/30/2002			(978,161)			(303,021)			(161,666)
Total Projected Revenue Thru 6/30/2004			(\$281,426)			\$1,113,204			\$1,407,384
Total Projected Budget 2002-2004			1,230,295			1,230,295			1,230,295
Projected Net Surplus (Deficit) as of 6/30/2004			(\$1,571)			(\$117,091)			\$177,089

Current Fees

Proposal #1

Proposal #2

Professional Counselors

Renewal - Counselors (2,945)(BO)

Endorsement - Out (25)

Late Renewals (5/100)

Replacement Certificate (20)

Returned Check (5)

Duplicate License (20)

Certification of Substance Abuse Counslors

Certification Renewal (780)(BO)

Late Renewal (5/50)

Dup. Cert./Add'l Cert. (5)

Returned Check (3)

Rehabilitation Providers

Renewal (1,300/1,320 (A)

Application (25)

Late Renewal (75)

Dup. Cert./Add'l Cert. (5)

Returned Check (5)

Marriage & Family Therapist

Renewal (980)(BO)

Application (35)

Late Renewal (5/30)

Registration of Supervision (90)

Endorsement Out (10)

Dup. Cert./Add'l Cert. (5)

Returned Check (5)

Licensed Sub Abuse Treatmt Pyact

Renewal - (750/785)(A)

Registration of Supervision (100)

Add/Change of Supervision (100)

Application Fee (50)

Endorsement - Out (5)

Late Renewals (20/20)

Replacement Certificate (5)

Returned Check (3)

Duplicate License (5)

Miscellaneous Revenue

Total Projected 2000-2002 Revenue

Revenue Carried Forward 6/30/2000

Total Projected Revenue Thru 6/30/2002

Total Projected Budget 2000-2002 - Bgt 4/99 w/move

lected Net Surplus (Deficit) as of 6/30/2002

(\$9- '1)

(\$303,021)

(\$161,666)